

REMARKS

1. Reconsideration and further prosecution of the above-identified application are respectfully requested in view of the amendments and discussion that follows. Claims 1-55 are pending in this application. Claims 1-5, 8-24, 27-42 and 45-55 have been rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,192,050 to Stovall in view of U.S. Patent No. 6,021,428 to Miloslavsky, U.S. Pat. No. 5,958,014 to Cave and U.S. Pat. No. 6,295,551 to Roberts et al. Claims 6-7, 25-26 and 43-44 have been rejected under 35 U.S.C. §103(a) as being obvious over Stovall in view of Roberts, Cave, Miloslavsky and U.S. Patent No. 6,657,383 to Gerber et al. After a careful review of the claims (as amended), it has been concluded that the rejections are in error and the rejections are, therefore, traversed.

2. Claims 1-5, 8-24, 27-42 and 45-55 have been rejected as being obvious over Stovall in view of Miloslavsky, Cave and Roberts et al. In this regard, the Examiner admits that "Stoval, Cave and Miloslavsky fail to disclose providing the Internet user with a message requesting that Internet user wait for next available agent" (Office Action of 1/15/04, page 5). To address this deficiency, the Examiner asserts that "Roberts discloses providing the Internet user with a message requesting that Internet user wait for next available agent (Fig 7, Ref 238-240 and col. 21, lines 17-60; the server collects the entered data by the internet user and analyzing the collected data for determining which skills agent of a group agent will be selected and place the call in its

queue and providing a waiting to the internet user)" (Office Action of 1/15/04, page 5).

As may be best understood from the Examiner's comments, the Examiner is apparently suggesting that the act of simply making an Internet user wait for an agent sends some sort of implied message and that the implied message is the same as providing an explicit message to the Internet user notifying the Internet user that he will have to wait for an agent. The difference, of course, is that messages over the Internet, as with messages over any other kind of communications medium, are often lost. Forcing a user to wait for an agent (without acknowledgement of the message) does not provide the same result or the same functionality because a user will often become frustrated and repeat the agent request out of frustration, further clogging the system.

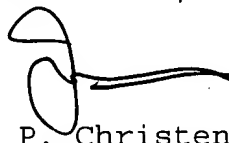
It is noted next that the claims are limited to the method step of (and apparatus for) "providing the Internet user with a message requesting that the Internet user wait for the next available agent". Since the claims are limited to a request sent to the user requesting the user wait for an agent, the claimed message is clearly different than any implied message suggested by the absence of a response. The difference, of course, is that a request sent to the user, asking a user to wait, is an acknowledgement of the user's request and an acknowledgement that the message has been received. Since Roberts et al. does not provide the same or any similar type of message, the combination of Stovall, Cave, Miloslavsky and Roberts et al. does not teach each and every claim limitation as required by MPEP §2143.03. Since the combination does not teach each and every claim

limitation, the rejections are believed to be improper and should be withdrawn.

3. Claims 6-7, 25-26 and 43-44 have been rejected as being obvious over Stovall in view of Roberts et al., Cave, Miloslavsky and U.S. Pat. No. 5,657,383 to Gerber et al. However, a review of Gerber et al. reveals that Gerber et al. also fails to provide any teaching or suggestion of "providing the Internet user with a message requesting that the Internet user wait for the next available agent". As such, the combination of Stovall, Roberts et al., Cave, Miloslavsky and Gerber et al. fails to teach each and every claim limitation. Since the combination fails to teach each and every claim limitation, the rejection is believed to be improper and should be withdrawn.

4. Allowance of claims 1-55, as now presented, is believed to be in order and such action is earnestly solicited. Should the Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, he is respectfully requested to telephone applicant's undersigned attorney.

Respectfully submitted,
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